

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

MICHAEL MCDONALD

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CR. NO. 05-10016-RCL

GOVERNMENT'S PROPOSED VOIR DIRE

The United States of America submits this Request for Jury Voir Dire. The government respectfully requests that the Court, in addition to its normal practice, ask the prospective jurors the following questions:

1. The United States of America is one of the litigants in this trial. You will hear the United States referred to throughout the trial as "the government." Have you, or any member of your immediate family ever had any interactions with the federal government that would affect your ability to sit as an impartial juror in this case?

2. Have you, any member of your immediate family, or any close friend ever been involved in a criminal proceeding?

3. Have you, any member of your immediate family, or any close friend ever filed a claim or lawsuit against the United States or any of its agencies, or answered a claim or lawsuit filed by the federal government?

4. A number of the witnesses expected to be called by the United States at trial are members of local, state and/or federal law enforcement offices, including Immigrations and Customs

Enforcement, the Drug Enforcement Administration, the Massachusetts State Police, the Boston Police and the Mass. Transit Police. These witnesses may be called to testify as both "fact" witnesses and as "expert" witnesses. As experts, they will be called to give their expert opinion as to certain matters in this case calling for specialized knowledge and skill, such as narcotics investigations. Are you aware of any beliefs or feelings that you may have regarding such witnesses that would in any way interfere with your ability to evaluate and judge fairly and impartially their testimony or the facts of this case?

5. Have you, any member of your immediate family, or any close friend ever received treatment for use of a controlled substance?

6. In this case, the government alleges that the defendant possessed cocaine with the intent to distribute it. Cocaine is a controlled substance under the laws of the United States, and it is illegal to possess or distribute it. Do you have any beliefs or views about the drug laws in general or cocaine base in particular that would interfere with your ability to apply those laws as I explain them to you?

7. In this trial, the government intends to introduce into evidence testimony from one or more cooperating witnesses. Do you have any beliefs or views about such witnesses that would

interfere with your ability to act fairly and impartially as a juror in this case?

8. Are you aware of any personal convictions that would prevent you from returning a verdict of Guilty or Not Guilty against another person on account of that person's race, ethnicity or background?

9. Are you aware of any other beliefs or feelings that would prevent you from completely and honestly applying the law, as I give it to you at the end of the case, to the facts as you find them?

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/Donald L. Cabell
DONALD L. CABELL
JEREMY STERNBERG
Assistant U.S. Attorneys